



File No. 00A146.0136

DECLARATION and POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe that I am the original, first, and sole inventor (if only one name is listed below), or the below named inventors are the original, first, and joint inventors (if more than one name is listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "Promoter Driven Tissue Specific Cytotoxic Agents and Methods of Use", the specification of which:

- ☐ is attached hereto.  
☒ was filed on October 11, 2000 as Application Serial No. 09/686,631.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims as amended by the Preliminary Amendment filed February 22, 2001.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, United States provisional application(s), or inventor's certificate listed below and have also identified below any foreign application for patent, United States provisional application, or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIORITY APPLICATION(S)

Priority Claimed?

_____ Number	_____ Country	_____ Date Filed	_____ Yes/No
_____ Number	_____ Country	_____ Date Filed	_____ Yes/No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which becomes available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>60/161,109</u>	<u>October 22, 1999</u>	<u>Provisional</u>
Serial Number	Filing Date	Status
<u>60/224,382</u>	<u>August 9, 2000</u>	<u>Provisional</u>
Serial Number	Filing Date	Status

I hereby appoint:

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all of the firm of Baker Botts L.L.P., my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities.

I hereby direct that all correspondence and telephone calls be addressed to Lori Stiffler, Baker Botts L.L.P., One Shell Plaza, 910 Louisiana, Houston, Texas, 77002-4995, (713) 229-1234.

I HEREBY DECLARE THAT ALL STATEMENTS MADE OF MY OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEF ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE STATEMENTS WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION OR ANY PATENT ISSUED THEREON.

Inventor's Full Name	F. Charles Brunicardi
Inventor's Signature	<i>F. Charles Brunicardi</i>
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